

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DONALD R. HUMPHREYS,

Plaintiff,

v.

Z. RUIZ, et al.,

Defendants.

Case No. [20-cv-07316-HSG](#)

**ORDER OF DISMISSAL**

On October 19, 2020, Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Dkt. No. 1. That same day, the Clerk of the Court informed Plaintiff that this action was deficient because he had not paid the filing fee or the *in forma pauperis* application submitted was not on the proper form. Dkt. No. 3. Plaintiff was instructed to respond within twenty-eight days of the date of the order. Dkt. No. 3. The deadline has passed, and Plaintiff has neither paid the filing fee nor submitted a correct *in forma pauperis* application. The Court therefore DISMISSES this action without prejudice. Because this dismissal is without prejudice, Plaintiff may move to reopen the action. Any such motion must contain either the full filing fee or a complete *in forma pauperis* application, i.e., an *in forma pauperis* application on the proper form, with the required certified copy of the plaintiff's inmate trust account statement for the last six months.

**IT IS SO ORDERED.**

Dated: December 9, 2020



HAYWOOD S. GILLIAM, JR.  
United States District Judge